

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

IN RE: POLYURETHANE FOAM ANTITRUST
LITIGATION

This document relates to:

Englander Southwest v. Hickory Springs et al, Nos. 3:12-pf-10012-JZ and 3:12-pf-10022-JZ; Albany Foam & Supply, Inc., No. 3:13-pf-10002-JZ; Bemco Sleep Products, Inc. v. Hickory Springs et al, No., 3:13-pf-10001-JZ; Grand Rapids Bedding Co. v. Hickory Springs et al, Nos., 3:12-pf-10011-JZ and 3:12-pf-10024-JZ; Jeffco Fibres, Inc. v. Hickory Springs et al, Nos., 1:12-pf-10003-JZ and 3:12-pf-10023-JZ; Kolcraft Enterprises Inc. v. Hickory Springs et al, No., 3:13-pf-10000-JZ; Simple Designs Manufacturing, Inc. et al, No., 3:13-pf-10003-JZ; and Spring Air Mattress Corp. v Hickory Springs et al, No., 1:12-pf-10026-JZ

MDL Docket No. 2196

Index No. 10-MD-2196 (JZ)

Hon. Jack Zouhary

**STIPULATION FOR DISMISSAL, WITH PREJUDICE, OF THE ENGLANDER,
ALBANY FOAM, BEMCO SLEEP, GRAND RAPIDS BEDDING, JEFFCO,
KOLCRAFT, SIMPLE DESIGNS, AND SPRING AIR MATTRESS CORP.
PLAINTIFFS' CLAIMS AGAINST THE VITAFOAM DEFENDANTS**

In accordance with Rule 41 of the Federal Rules of Civil Procedure, Plaintiffs Fraenkel Company d/b/a Englander South Central; Illinois Sleep Products d/b/a Englander Midwest; Medi-Pedic Bedding Co., Inc., d/b/a Englander Southwest; Sleep Inc. d/b/a Englander Northeast; Tualatin Sleep Products, Inc. d/b/a Englander Northwest; White Cross Sleep Products, Inc. d/b/a Englander Mid-Atlantic; Advanced Sleep Products d/b/a Englander Southeast; Albany Foam & Supply Inc.; Bemco Sleep Products, Inc.; Grand Rapids Bedding Co.; Jeffco Fibres Inc.; Kolcraft Enterprises, Inc.; Simple Designs Manufacturing, Inc.; and Spring Air Mattress Corp. d/b/a Spring Air Greensboro. (individually and collectively the "Plaintiffs") and Defendants Vitafoam,

Inc., Vitafoam Products Canada Limited, and British Vita Unlimited (individually and collectively the "Vitafoam Defendants") stipulate and agree to the dismissal, with prejudice, of the Plaintiffs' claims against the Vitafoam Defendants with each side bearing its own attorneys' fees and costs. The Plaintiffs and the Vitafoam Defendants further stipulate and agree to this Court's continuing jurisdiction for purposes of enforcing the settlement between the Plaintiffs and the Vitafoam Defendants. This Stipulation of dismissal, with prejudice, is intended to be without prejudice to the Plaintiffs' claims against any other Defendants or co-conspirators in the above-captioned cases. A proposed Order of dismissal, with prejudice, accompanies this Stipulation as Exhibit 1.

Dated: August 26, 2013

Respectfully submitted,

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By: 
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– and –

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By: 
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CERTIFICATE OF SERVICE

I certify that on August 26, 2013, I caused a true and correct copy of the foregoing document to be filed and served via ECF on counsel for the parties.

By: 
Charles Tompkins